

MAY 08 2003

Michael N. Milby, Clerk

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:

MICHAEL PORTER HICKS, SR.  
and CAROLYN SUE HICKS,  
105 Bartlett Road  
Sealy, Texas 77474

Debtors.

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CASE NO. 01-31223-H4-13

CHAPTER 13 PROCEEDING

**CATHERINE TAYLOR INDIVIDUALLY AND AS NEXT FRIEND FOR  
CHARLES TAYLOR, NCM THIRD AMENDED CHAPTER 13 CLAIM**

TO THE COURT:

Now comes Catherine Taylor individually and as next friend for Charles Taylor, NCM, to  
Amend the claim based on a final judgment for \$28,699,753.18 as proof for the third amended  
claim filed July 9, 2001, amended July 29, 2001, October 29, 2002 and May 8, 2003 as attached.

Respectfully submitted,



JAMES CHARLES FOGO  
State Bar No. 07207520  
Fed. Adm. I.D. No. 4187  
122 Tuam  
Houston, Texas 77006  
713-807-7744  
Fax 713-807-0030  
Attorney for Claimants  
Catherine Taylor individually and  
As next friend of Charles Taylor, NCM

FORM B10 (Official Form 10) (4/01)

<b>UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF TEXAS</b>		<b>PROOF OF CLAIM</b>
Name of Debtor <b>Michael Porter Hicks, Sr. Carolyn Sue Hicks</b>		Case Number <b>01-31223-H4-13</b>
NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A "request" for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (The person or other entity to whom the debtor owes money or property): Catherine Taylor, individually and as next friend of and guardian for Charles Taylor, NCM		<div style="text-align: center;"> United States Courts  Southern District of Texas  <b>FILED</b>  MAY 08 2003  Michael N. Milby, Clerk </div>
Name and address where notices should be sent: James Charles Fogo Attorney at Law 122 Tuam, 2 <sup>nd</sup> Floor Houston, Texas 77006 Telephone number: 713-807-7744		
Account or other number by which creditor identifies debtor: No. 97V-100 Final Judgment Austin County, Texas March 26, 2001		<input type="checkbox"/> Check box if you are aware that anyone else has filed a proof of claim relating to your claim. Attach copy of statement giving particulars. <input type="checkbox"/> Check box if you have never received any notices from the bankruptcy court in this case. <input checked="" type="checkbox"/> Check box if the address differs from the address on the envelope sent to you by the court.
<b>1. Basis for Claim</b> <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input checked="" type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input checked="" type="checkbox"/> Other Injury damages, medical, future medical, lost earnings determined by judgment.		Check here <input type="checkbox"/> replaces if this claim a previously filed claim dated: July 5, 2001, <input checked="" type="checkbox"/> amends July 29, 2001, October 29, 2002
<b>2. Date debt was incurred:</b>		<b>3. If court judgment, date obtained:</b> 03-26-2002
<b>4. Total Amount of Claim at Time Case Filed: \$19,975,941.80 plus interest and cost stated in the judgment for total liquidated judgment amount of \$28,699,753.10</b> If all or part of your claim is secured or entitled to priority, also complete Item 5 or 6 below. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges. Judgment claim liquidated by order of the court and final judgment		
<b>5. Secured Claim.</b> <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Value of Collateral: To be determined Amount of arrearage and other charges at time case filed included in secured claim, if any: \$		<b>6. Unsecured Priority Claim.</b> <input type="checkbox"/> Check this box if you have an unsecured priority claim Amount entitled to priority \$ Specify the priority of the claim: <input type="checkbox"/> Wages, salaries, or commissions (up to \$4,650), * earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever earlier - 11 U.S.C. § 507(a)(3). <input type="checkbox"/> Contributions to an employee benefit plan 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Up to \$2,100* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6). <input type="checkbox"/> Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)( ). *Amounts are subject to adjustment on 4/1/04 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.
<b>7. Credits:</b> The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim. <b>8. Supporting Documents:</b> Attached copies supporting claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary. <b>9. Date-Stamped Copy:</b> To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.		THIS SPACE IS FOR COURT USE ONLY
Date 5/5/03	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): James C. Fogo, Attorney for Catherine Taylor and Charles Taylor NCM <i>James C. Fogo</i>	

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THE HERSHEY LAW FIRM PC

HIPPARD LAW OFFICE

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P.02

No. 97V-100

CATHERINE TAYLOR, INDIVIDUALLY § IN THE DISTRICT COURT OF  
AND AS NEXT FRIEND OF CHARLES  
TAYLOR, NCM

VS § AUSTIN COUNTY, T E X A S

AMERICAN FABRITECH, INC., MIKE  
HICKS SR., AND LMS RENTALS, INC. § 155TH JUDICIAL DISTRICT

## F I N A L J U D G M E N T

BE IT REMEMBERED that on the 25th day of February 2002, this cause was called for trial on the merits. Plaintiff, CATHERINE TAYLOR, as guardian and next friend of her son CHARLES TAYLOR, a Non Compos Mentis, appeared in person and through her attorneys. Defendants, AMERICAN FABRITECH, INC., LMS RENTALS, INC., and MICHAEL P. HICKS, SR., appeared in person and through their attorneys and announced ready for trial. A twelve person jury was selected, empaneled, and sworn, and the trial of the case proceeded with the presentation of the testimony, evidence and stipulations. After all the parties had rested, and on the 7<sup>th</sup> day of March 2002, the court submitted the case to the jury on written questions, definitions and instructions. After having retired and deliberated, the jury returned its verdict in open court on the 7<sup>th</sup> day of March 2002, which verdict the court received and ordered it filed among the papers of this cause.

It appearing to the court that under the jury's verdict and the pleadings and stipulations of the parties, all of which are incorporated herein by reference, that plaintiff should recover judgment against the

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defendants, jointly and severally, in the amount of Twenty Million, Four Hundred Thirteen Thousand, Four Hundred and Twenty-Eight and xx/100 Dollars (\$20,413,428.00). It further appearing to the court that during the course of the trial and out of the presence and hearing of the jury, defendants made an offer of proof consisting of three (3) exhibits (Defendants' Exhibit 2, Defendants' Exhibit 3, and Defendants' Exhibit 4), the court became of the opinion that these three exhibits establish as a matter of law that defendants are entitled to an offset against the judgment in the amount of a total of \$437,486.20. It further appearing to the court that during the course of the trial, during the cross-examination of plaintiff's expert witnesses Dr. Andrew and Dr. Winkler testimony was elicited about a possible lack of resources available to plaintiff, the court became of the opinion and finds, as a matter of law, that defendants are entitled to an offset against this judgment for all governmental benefits that plaintiff has received or might receive in the future on account of his injuries, but only to the extent that subrogation is not claimed for those benefits. It is accordingly

ORDERED, ADJUDGED and DECREED that plaintiff, CATHERINE TAYLOR, AS GUARDIAN and NEXT FRIEND OF CHARLES TAYLOR, NCM, do have and recover judgment of and from defendants, AMERICAN FABRITECH, INC., LMS RENTALS, INC., and MICHAEL P. HICKS, SR., jointly and severally, damages in the amount of Twenty Million, Four Hundred Thirteen Thousand, Four Hundred and Twenty-Eight and xx/100 Dollars (\$20,413,428.00) less the offset set out above in the amount of \$437,486.20 for payments made by to Charles Taylor or for his medical care pursuant to an employee benefit plan by defendants or Clarendon Insurance Company, for the total net amount of Nineteen Million, Nine Hundred Seventy-Five Thousand, Nine Hundred Forty-One and 80/100 Dollars (\$19,975,941.80). It is further

ORDERED, ADJUDGED and DECREED that plaintiff, CATHERINE TAYLOR, AS

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HIPPARD LAW OFFICE

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GUARDIAN and NEXT FRIEND OF CHARLES TAYLOR, NCM, do have and recover of and from defendants, AMERICAN FABRITECH, INC., LMS RENTALS, INC., and MICHAEL P. HICKS, SR., jointly and severally, pre-judgment interest at the rate of 10% per annum from November 14, 1997, the date suit was filed, until March 25, 2002, the day preceding the date of this judgment, for a total of Eight Million, Seven Hundred Twelve Thousand, Seven Hundred Ninety-Four and 34/100 Dollars (\$8,712,794.34) in pre-judgment interest. It is further

ORDERED, ADJUDGED and DECREED that plaintiff, CATHERINE TAYLOR, AS GUARDIAN and NEXT FRIEND OF CHARLES TAYLOR, NCM, do have and recover of and from defendants, AMERICAN FABRITECH, INC., LMS RENTALS, INC., and MICHAEL P. HICKS, SR., jointly and severally, her court costs in the amount of \$11,017.04. All costs incurred by defendants and any unpaid costs are taxed against defendants, jointly and severally. It is further

ORDERED, ADJUDGED and DECREED that this judgment, which with interest and court costs totals \$28,699,753.18, shall bear interest at the rate of 10%, compounded annually from the date of this judgment, March 26, 2002, until paid. It is further

ORDERED, ADJUDGED and DECREED that defendants AMERICAN FABRITECH, INC., LMS RENTALS, INC., and MICHAEL P. HICKS, SR. be and they hereby are granted an additional joint and several offset or credit against this judgment for any governmental benefit that defendants demonstrate that CHARLES TAYLOR received before or after the rendition of this judgment; provided, that no offset or credit shall be given for any benefits for which a subrogation claim is made, by the government. *DNB*

All relief not specifically granted herein is denied. This judgment finally disposes of all parties and all claims and is appealable

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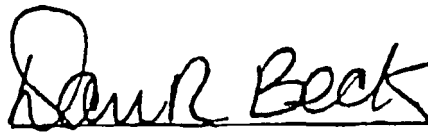
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Plaintiff announced that she excepts to those portions of this judgment that grant defendants an offset or credit for amounts allegedly paid pursuant to an alleged employee benefit plan and that grant an offset or credit for governmental benefits received by plaintiff in the past or which he may receive in the future, which exception the court duly noted.

The date of rendition of this judgment is March 26, 2002, except for purposes of determining post-judgment and appellate timetables, which shall commence on the date this judgment is signed.

SIGNED THIS 25 day of June 2002.



JUDGE PRESIDING

APPROVED AS TO FORM ONLY:

LAW OFFICE OF ROBERT OBERHOLTZER  
A Professional Corporation

DODGE, FAZIO, ANDERSON &amp; JONES

Robert (Bob) Oberholtzer  
Texas Bar #15161700  
1100 Leeland Street, Suite 275  
Houston, Texas 77002-7618  
Telephone: 713-664-2011  
Fax 713-861-6566  
OF COUNSEL FOR PLAINTIFF

Jerry Fazio  
Texas Bar #06870010  
5400 LBJ Freeway, Suite 800  
Dallas, TX 75240  
Phone 800-947-0177  
Fax #800-947-0480  
ATTORNEYS FOR DEFENDANT

HERSHEWE LAW FIRM, PC  
Ed Hershewe MO Bar #27641  
Daniel R. DeFoe MO Bar # 35523  
431 Virginia  
Joplin, MO 64801-2399  
Phone: 417-641-3790  
Fax: 417-782-8482  
ATTORNEYS FOR PLAINTIFF

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AUSTIN COUNTY, TEXAS

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United States Courts  
Southern District of Texas  
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OCT 29 2002

C.H.

Michael N. Milby, Clerk

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:

MICHAEL PORTER HICKS, SR.  
and CAROLYN SUE HICKS,  
105 Bartlett Road  
Sealy, Texas 77474

Debtors.

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CASE NO. 01-31223-H4-13

CHAPTER 13 PROCEEDING

CATHERINE TAYLOR INDIVIDUALLY AND AS NEXT FRIEND FOR  
CHARLES TAYLOR, NCM SECOND AMENDED CHAPTER 13 CLAIM

TO THE COURT:

Now comes Catherine Taylor individually and as next friend for Charles Taylor, NCM, to submit the final judgment for \$28,699,753.18 as proof for the second amended claim filed July 9, 2001 as attached.

Respectfully submitted,



JAMES CHARLES FOGO  
State Bar No. 07207520  
Fed. Adm. I.D. No. 4187  
122 Tuam  
Houston, Texas 77006  
713-807-7744  
Fax 713-807-0030  
Attorney for Claimants



FORM B10 (Official Form 10-2001)

UNITED STATES BANKRUPTCY COURT <u>SOUTHERN</u> DISTRICT OF <u>TEXAS</u>		<b>PROOF OF CLAIM</b>
Name of Debtor <u>Michael Porter Hicks Sr.</u> <u>Carolyn Sue Hicks</u>		Case Number <u>01-31223-H4-13</u>
<p><small>NOTE: This form should not be used to make a claim for an administrative expense arising after the commencement of the case. A request for payment of an administrative expense may be filed pursuant to 11 U.S.C. § 503.</small></p>		
Name of Creditor (The person or other entity to whom the debtor owes money or property): <u>Catherine Taylor individually and as next of friend and guardian for Charles Taylor NCM</u>		United States Courts Southern District of Texas FILED  OCT 29 2002 C.H.  Michael N. Milby, Clerk  THIS SPACE IS FOR COURT USE ONLY
Name and address where notices should be sent: <u>James Charles Fogo</u> <u>122 Tuam 2nd floor</u> <u>Houston, Texas 77006</u>		
Telephone number: <u>713 807-7744</u>		
Account or other number by which creditor identifies debtor:		Check here if this claim <input type="checkbox"/> replaces <input type="checkbox"/> amends a previously filed claim, dated: <u>July 5, 2001</u> <u>July 29, 2001</u>
<b>1. Basis for Claim</b> <input type="checkbox"/> Goods sold <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input checked="" type="checkbox"/> Personal injury/wrongful death <input type="checkbox"/> Taxes <input checked="" type="checkbox"/> Other <u>Lost wages medical future medical</u>		
<input checked="" type="checkbox"/> Retiree benefits as defined in 11 U.S.C. § 1114(a) <input checked="" type="checkbox"/> Wages, salaries, and compensation (fill out below) Your SS #: <u>487 88 3178</u> Unpaid compensation for services performed from <u>12-96</u> to <u>06 2001</u> (date) (date)		
<b>2. Date debt was incurred:</b>		<b>3. If court judgment, date obtained:</b> <u>3-26-02</u>
<b>4. Total Amount of Claim at Time Case Filed:</b> \$ <u>\$19,975,941.80 plus interest and cost for a total liquidated judgment amount of \$28,699,753.10</u> If all or part of your claim is secured or entitled to priority, also complete item 5 or 6 below. <input type="checkbox"/> Check this box if claim includes interest or other charges in addition to the principal amount of the claim. Attach itemized statement of all interest or additional charges.		
<b>5. Secured Claim.</b> <input type="checkbox"/> Check this box if your claim is secured by collateral (including a right of setoff). Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other <u>None</u> Value of Collateral: \$ <u>TO BE DETERMINED</u> Amount of arrearage and other charges at time case filed included in secured claim, if any: \$ _____		<b>6. Unsecured Priority Claim.</b> <input type="checkbox"/> Check this box if you have an unsecured priority claim Amount entitled to priority \$ <u>4,650</u> Specify the priority of the claim: <input checked="" type="checkbox"/> Wages, salaries, or commissions (up to \$4,650)* earned within 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier - 11 U.S.C. § 507(a)(3). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. § 507(a)(4). <input type="checkbox"/> Up to \$2,100* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. § 507(a)(6). <input type="checkbox"/> Alimony, maintenance, or support owed to a spouse, former spouse, or child - 11 U.S.C. § 507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. § 507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. § 507(a)(____). <small>*Amounts are subject to adjustment on 4/1/04 and every 3 years thereafter with respect to cases commenced on or after the date of adjustment.</small>
<b>7. Credits:</b> The amount of all payments on this claim has been credited and deducted for the purpose of making this proof of claim.		THIS SPACE IS FOR COURT USE ONLY
<b>8. Supporting Documents:</b> Attach copies of supporting documents, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, mortgages, security agreements, and evidence of perfection of lien. DO NOT SEND ORIGINAL DOCUMENTS. If the documents are not available, explain. If the documents are voluminous, attach a summary.		
<b>9. Date-Stamped Copy:</b> To receive an acknowledgment of the filing of your claim, enclose a stamped, self-addressed envelope and copy of this proof of claim.		
Date <u>10-15-02</u>	Sign and print the name and title, if any, of the creditor or other person authorized to file this claim (attach copy of power of attorney, if any): <u>Samuel L. Fogo Attorney AT LAW for Catherine Taylor and Charles Taylor</u>	
Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571.		



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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION


IN RE:	§	CASE NO. 01-31223-H4-13
	§	
MICHAEL PORTER HICKS, SR.	§	CHAPTER 13 PROCEEDING
and CAROLYN SUE HICKS,	§	
105 Bartlett Road	§	
Sealy, Texas 77474	§	
Debtors.	§	

CATHERINE TAYLOR AND CHARLES TAYLOR  
AMENDED CHAPTER 13 CLAIM

TO THE COURT:

Now comes Catherine Taylor individually and as next friend for Charles Taylor, NCM, to submit proof for the amended claim filed July 9, 2001 as attached.

Respectfully submitted,



JAMES CHARLES FOGO

122 Tuam

Houston, Texas 77006

713-807-7744

Telecopier 713-807-0030

State Bar No. 07207520

Fed. Adm. I.D. No. 4187

ATTORNEY FOR MOVANT

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B-19 (3-88) <b>United States Bankruptcy Court</b> <b>Southern District of Texas</b> <b>Houston Division</b>		<b>PROOF OF CLAIM</b>	
Name of Debtor <b>Michael Porter Hicks Sr.</b> <b>Carolyn Sue Hicks</b>		Bankruptcy Case No. <b>01-31223-H4-13</b>	
<b>A. CREDITOR INFORMATION</b>			
<i>(The creditor is the person or other entity to whom the debtor owes money or property)</i>			
Name and Address of Creditor <b>Charles Taylor NCM SSN 487-88-3178</b> <b>Catherine Taylor individually next of friend</b> <b>90 Robert Oberholtzer</b> <b>2656 South Loop West, Suite 600</b> <b>Houston, TX 77054</b>		<input checked="" type="checkbox"/> Check box if you never received any notices from the bankruptcy court in this case. <input type="checkbox"/> Check box if this address differs from the address on the envelope sent to you by the court. <input type="checkbox"/> Check box and attach copy of assignment if claim has been assigned to you.	
Number by which creditor identifies debtor:		Check here if this claim <input type="checkbox"/> replaces <input checked="" type="checkbox"/> amends a previously filed claim dated <b>07-05-01</b> <input type="checkbox"/> supplements	
<b>B. CLAIM INFORMATION</b>			
<b>1. BASIS FOR CLAIM:</b> <input type="checkbox"/> Goods purchased <input type="checkbox"/> Services performed <input type="checkbox"/> Money loaned <input type="checkbox"/> Other forms of contract (Identify) <input checked="" type="checkbox"/> Personal injury/Wrongful death/Property damage <input checked="" type="checkbox"/> Other (Describe briefly) <b>Lost wages Medical</b>		<input checked="" type="checkbox"/> Wages, Salaries and Commissions (Fill out below) Your social security number <b>487-88-3178</b> Unpaid services <del>performed</del> from <b>12-96</b> to <b>06-2001</b> Nature of services (Describe briefly)	
<b>2. DATE DEBT WAS INCURRED:</b>			
<b>3. CLASSIFICATION OF CLAIM:</b> Under the Bankruptcy Code all claims are classified as one or more of the following: (1) Unsecured nonpriority, (2) Priority, (3) Secured. It is possible for a claim to be partly in one category and partly in another—such as wage claim which may be a priority claim for the first \$2,000 and an unsecured nonpriority claim for the balance. Classify the nature of the claim by CHECKING THE APPROPRIATE BOX OR BOXES which you believe best describes the claim. STATE THE AMOUNT OF THE CLAIM. <b>\$743,913.81 Liquidated</b> <input checked="" type="checkbox"/> <b>UNSECURED NONPRIORITY CLAIM \$31,862,239.00 unliquidated</b> For the purposes of this form, a claim is unsecured if there is no collateral, or to the extent the value of collateral is less than the amount of the debt. <input type="checkbox"/> <b>SECURED CLAIM \$</b> Attach evidence of perfection of security Brief Description of Collateral: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other			
<input type="checkbox"/> <b>PRIORITY CLAIM \$</b> Specify the priority of the claim by checking the appropriate box(es) <input type="checkbox"/> Wages, salaries or commissions (up to \$2,000, earned not more than 90 days before filing of the bankruptcy petition or cessation of the debtor's business, whichever is earlier)—11 U.S.C. §507(a)(3) <input type="checkbox"/> Contributions to an employee benefit plan—11 U.S.C. §507(a)(4) <input type="checkbox"/> Up to \$500 of deposits toward purchase, lease, or rental of property or services for personal, family or household use—11 U.S.C. §507(a)(8) <input type="checkbox"/> Taxes or penalties of governmental units—11 U.S.C. §507(a)(7) <input type="checkbox"/> Other specify:			
<b>4. TOTAL AMOUNT OF CLAIM:</b> <b>\$743,913.81</b> Liquidated (unsecured) Unliquidated <b>\$1,862,239.00</b>		(Secured) + (Priority) <div style="border: 1px solid black; padding: 5px; float: right;"> <b>\$743,913.81 Liquidated</b>          (Total)  <b>\$1,862,239.00 unliquidated</b> </div>	
<b>5. Attach copies of documents in support of this claim, such as purchase orders, invoices, itemized statements of running accounts, contracts, court judgments, or evidence of security interests. If the documents are not available, explain. If the documents are voluminous, attach a summary.</b>		<b>THIS SPACE IS FOR COURT USE ONLY</b>	
<b>6. This form should not be used to make a claim for expenses incurred after the filing of the bankruptcy petition. Such expenses may be paid only upon proper application and notice pursuant to 11 U.S.C. §503.</b>			
<b>7. CREDITS AND SETOFFS:</b> Attach an itemization of all amounts and dates of payments which have been credited against the debt. Set forth any setoff or counterclaim which the debtor may have against your claim.			
<b>8. To receive an acknowledgment of the receipt of your claim, enclose a stamped, self-addressed envelope and a copy of your claim.</b>			
<b>C. CERTIFICATION</b>			
The undersigned certifies under penalty of perjury that the debtor named above is indebted to the claimant in the amount shown, that there is no security for the debt other than that stated above or in an attachment to this form, that no unmatured interest is included, and that the undersigned is authorized to make this claim.			
Date <b>07-05-2001</b>		Sign and Print the Name and Title, if any, of the Creditor or Other Person Authorized to File (No Claim (attach copy of power of attorney, if any)) <b>James Fago KY 122 Team Hoc TX 77006</b>	

THIS SPACE IS FOR  
COURT USE ONLY

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P.4/7

**Charles Taylor**  
**Detail of Liquidated Damages**

Date	Provider	Amount
12/02/1996	Otolaryngology	135.00
12/04/1996	Surgery	128.00
12/11/1996	Surgery	1,860.00
12/14/1997	Radiology	305.60
12/09/1997	Radiology	594.60
December 1996	Radiology	357.25
December 1996	Mo Rehabilitation	1,100.00
12/02/1996	Hermann Hospital	549.25
12/02/1996	Hermann Hospital	5,972.22
12/03/1996	GAB Robins Inj & Rehabilitation M	1,686.59
12/23/1996	Internal Medicine	125.00
12/03/1996	Anesthesiology	2,176.00
12/09/1996	Anesthesiology	1,766.00
12/11/1996	Surgery	681.00
12/28/1996	Radiology	180.00
12/20/1996	Radiology	27.00
12/04/1996	Radiology	64.00
January 1997	MO Rehabilitation Center	26,390.99
12/19/1996	GAB Robins Inj. & Rehabilitation M	1,963.55
12/02/1996	Orthopaedic Surgeons	3,212.00
12/02/1996	Anesthesiology	3,332.00
12/16/1996	Anesthesiology	2,924.00
12/23/1996	Anesthesiology	644.00
12/02/1997	Radiology	515.00
12/02/1997	Radiology	461.00
01/03/1997	GAB Robins Inj. & Rehabilitation M	2,076.59
03/13/1997	GAB Robins Inj. & Rehabilitation M	936.96
03/07/1997	GAB Robins Inj. & Rehabilitation M	820.53
February 1997	MO Rehabilitation Center	15,400.00
March 1997	MO Rehabilitation Center	17,050.00
April 1997	MO Rehabilitation Center	16,500.00
04/04/1997	GAB Robins Inj. & Rehabilitation M	787.42
12/20/1997	Ameristat	5,517.00
12/02/1996	Austin Co. EMS	1,427.50

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Date	Provider	Amount
12/03/1996	Hermann Univ. Eye Associates	622.00
12/13/1996	Internal Medicine	23.00
May 1997	MO Rehabilitation Center	21,080.45
June 1997	MO Rehabilitation Center	16,500.00
06/27/1997	GAB Robins Inj. & Rehabilitation M	1,336.35
07/21/1997	The Mobility Store	3,211.70
05/15/1997	Vision Enhancement Clinic	304.00
August 1997	MO Rehabilitation Center	9,350.00
August 1997	MO Rehabilitation Center	4,200.00
September 1997	MO Rehabilitation Center	800.00
June 1997	MO Rehabilitation center	3,300.00
August 1997	MO Rehabilitation Center	1,870.00
August 1997	MO Rehabilitation Center	840.00
12/01/1997	Lindsey Morden Claim Service	134.12
September 1997	MO Rehabilitation Center	8,000.00
July 1997	MO Rehabilitation Center	17,050.00
October 1997	MO Rehabilitation Center	9,300.00
November 1997	MO Rehabilitation Center	8,280.00
December 1996	Hermann Hospital	255,133.86
December 1996	Hermann Hospital	80,248.42
January 1998	Vision Enhancement Clinic	122.00
January 1998	Vision Enhancement Clinic	122.00
01/23/1998	Med Supplies	70.12
01/23/1998	Med Supplies	180.50
01/30/1998	Med Supplies	17.75
01/30/1998	Drugs Charged	1,049.94
02/01/1998	28 days RBN	4,200.00
02/28/1998	Med Supplies	18.22
03/01/1998	28 Days RBN	4,650.00
03/04/1998	Beauty Shop	5.00
03/30/1998	Med Supplies	126.00
04/01/1998	30 Days RBN	4,500.00
04/30/1998	Med Supplies	7.59
05/01/1998	32 Days RBN	300.00
05/12/1998	20 days RBN	1,740.00

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Date	Provider	Amount
06/01/1998	30 Days RBN	2,610.00
06/30/1998	Med Supplies	21.02
07/01/1998	31 Days RBN	3,007.00
07/15/1998	Med Supplies	704.65
07/31/1998	Med Supplies	4.26
08/01/1998	31 Days RBN	3,007.00
08/01/1998	31 Days RBN	3,100.00
09/01/1998	30 Days RBN	3,000.00
09/16/1998- 09/30/1998	Semi-Private Room	1,170.00
10/01/1998- 10/31/1998	Semi-Private Room	2,418.00
10/03/1998	Trach and Supplies	3.12
10/10/1998	Surgical Dressing	6.20
10/21/1998	Catheter and Supplies	177.12
10/29/1998	Tube Feeding	14.64
10/29/1998	Miscellaneous Supplies	2.34
11/01/1998- 11/30/1998	Semi-Private Room	722.36
11/03/1998	Tube Feeding	33.97
11/13/1998	Catheter and Supplies	36.72
11/17/1998	Miscellaneous Supplies	23.40
12/01/1998- 12/31/1998	Carthage Health and Rehabilitation	722.36
01/01/1999- 01/31/1999	Carthage Health and Rehabilitation	734.36
MEDICAL		599,261.81
<b>Lost Wages</b>		
December 1996		2,142.00
1997		30,436.00
1998		31,349.00
1999		32,290.00
2000		32,290.00
January to June 2001		16,146.00
Lost Wages		144,652.00
Total Medical & Lost Wages		743,913.81



**Charles Taylor**  
**Outline of Unliquidated Damages**

Future Loss of Earning Capacity (Present Value)	1,213,347.00
Future Medical Expenses (Life Care Plan) (Present Value)	20,648,892.00
Pain, Suffering, Physical Impairment, Loss of Enjoyment of Life (Estimated)	10,000,000.00
Total Unliquidated Damages	31,862,239.00

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:

MICHAEL PORTER HICKS, SR.  
and CAROLYN SUE HICKS,  
105 Bartlett Road  
Sealy, Texas 77474  
Debtors.

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CASE NO. 01-31223-H4-13

CHAPTER 13 PROCEEDING

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Catherine Taylor and Charles Taylor Amended Chapter 13 Claim was served by United States Mail, Postage Pre-Paid as follows:

DATE OF SERVICE:

7-27-01



JAMES CHARLES FOGO

TO: United States Trustee  
515 Rusk Avenue, Suite 3516  
Houston, Texas 77002

William Heitkamp  
Chapter 13 Trustee  
9821 Katy Freeway, Suite 590  
Houston, Texas 77024

Fax 713-465-4643  
Michael Porter Hicks, Sr.  
Carolyn Hicks  
c/o George O. Mejlaender, Attorney  
P.O. Box 801261  
Houston, Texas 77280-1261

CERTIFICATE OF SERVICE

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IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:

MICHAEL PORTER HICKS, SR.  
and CAROLYN SUE HICKS,  
105 Bartlett Road  
Sealy, Texas 77474

Debtors.

§  
§  
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CASE NO. 01-31223-H4-13

CHAPTER 13 PROCEEDING

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Catherine Taylor and Charles Taylor Second Amended Chapter 13 Claim was served by United States Mail, Postage Pre-Paid as follows:

DATE OF SERVICE:

10-25-02



JAMES CHARLES FOGO

TO: United States Trustee  
515 Rusk Avenue, Suite 3516  
Houston, Texas 77002

William Heitkamp  
Chapter 13 Trustee  
9821 Katy Freeway, Suite 590  
Houston, Texas 77024

Catherine Taylor, individually  
as Next Friend For Charles  
Taylor, NCM  
Ed Hershewe  
Hershewe Law Firm, P.C.  
431 Virginia  
Joplin, Missouri 64801-2399

Fax 713-465-4643  
Michael Porter Hicks, Sr.  
Carolyn Hicks  
c/o George O. Mejlaender,  
P.O. Box 801261  
Houston, Texas 77280-1261

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

IN RE:	§	
	§	CASE NO. 01-31223-H4-13
MICHAEL PORTER HICKS, SR.	§	
and CAROLYN SUE HICKS,	§	CHAPTER 13 PROCEEDING
105 Bartlett Road	§	
Sealy, Texas 77474	§	
	§	
Debtors.	§	

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Catherine Taylor and Charles Taylor Third Amended Chapter 13 Claim was served by United States Mail, Postage Pre-Paid as follows:

DATE OF SERVICE:  
5-8-03

  
\_\_\_\_\_  
JAMES CHARLES FOGO

TO: United States Trustee  
515 Rusk Avenue, Suite 3516  
Houston, Texas 77002

William Heitkamp  
Chapter 13 Trustee  
9821 Katy Freeway, Suite 590  
Houston, Texas 77024

Catherine Taylor, individually  
as Next Friend For Charles  
Taylor, NCM  
Ed Hershewe  
Hershewe Law Firm, P.C.  
431 Virginia  
Joplin, Missouri 64801-2399

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P.O. Box 801261  
Houston, Texas 77280-1261